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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

CITY OF DETROIT, MICHIGAN

CASE NO. 13-53846

CHAPTER 9

Debtor

JUDGE: Hon. Steven W. Rhodes

_____ /

MOTION FOR RELIEF FROM AUTOMATIC STAY

Now comes Nathaniel Brent in *pro per* seeking relief from the automatic stay imposed by

11 U.S.C. § 362a and 922 in support states the following:

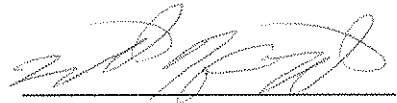
- 1) This Court has jurisdiction to hear this motion pursuant to 28 U.S.C. §157 and 11 U.S.C. § 362a.
- 2) On July 8, 2013, the debtor, City of Detroit Michigan filed a petition for relief under chapter 9 of the bankruptcy code.
- 3) Debtors filing instituted an automatic stay of all proceedings against the debtor pursuant to 11 U.S.C. § 362a and 922
- 4) Movant, Nathaniel Brent has a pending case (E.D. Mich case # 2:11-CV-10724) pending against the Debtor and some of its employees in which Mr. Brent seeks to establish liability and damages for violations of his civil rights under 42 U.S.C. § 1983.
- 5) This Court and the bankruptcy proceedings cannot protect Mr. Brent's interests as liability and damages have not yet been determined.
- 6) Movant acknowledges that any payment of monetary fund may be subject to the continuing jurisdiction of this Court.

FILED
2014 APR 11 P 2:23
U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

7) Movant has sought concurrence with the instant motion from debtor however at the time of this filing has been unable to obtain concurrence.

Wherefore and for the above stated reasons Movant requests this honorable Court to grant this motion and allow movant to continue to pursue his claims against debtor and its employees.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Nathaniel Brent', written over a horizontal line.

Nathaniel Brent
Pro Per
538 South Livernois
Detroit, MI 48209
(313)841-4591

Date April 21, 2014

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

CITY OF DETROIT, MICHIGAN

CASE NO. 13-53846

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BRIEF IN SUPPORT OF MOTION FOR RELIEF FROM STAY

Movant relies upon 11 U.S.C. §362(d)(1), 11 U.S.C. §922 and the statements made in this motion in support of his request for relief of from the Automatic Stay.

Movant feels it is necessary to briefly explain the delay in the instant motion. On July 11, 2013 the District Court entered a Stay in the proceeding pending the conclusion of another defendants appeal to the 6th Circuit. (exh 1). Any motion in this Court to lift the stay simple to have another stay still be in effect was pointless and would have been a waste of judicial resources. On April, 16, 2014 the 6th Circuit entered its mandate remanding the case to the District Court (exh 2). Movant now seeks to have the automatic stay lifted by this Court to allow the case to proceed.

Wherefore and for the above stated reasons Movant requests this honorable Court to grant this motion and allow movant to continue to pursue his claims against debtor and its employees.

Respectfully Submitted,



Nathaniel Brent
Pro Per
538 South Livernois
Detroit, MI 48209
(313)841-4591

Date April 21, 2014

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

CITY OF DETROIT, MICHIGAN

CASE NO. 13-53846

CHAPTER 9

Debtor

JUDGE: Hon. Steven W. Rhodes

_____ /

Order Granting Nathaniel Brent's Motion for Relief from Automatic Stay

Nathaniel Brent having filed a Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. §362(d)(1) and 11 U.S.C. §922 of the United States Bankruptcy Code, notice having been given to the parties, and the Court being fully advised;

IT IS HEREBY ORDERED that the Motion is Granted.

IT IS FURTHER ORDERED that pursuant to 11 U.S.C. §362(d) and 11 U.S.C. §922, the automatic Stay is hereby vacated for the limited purposes of allowing Movant to continue litigation of E.D. Mich case no. 2:11-CV-10724 to establish liability and damages against the Debtor and its employees.

IT IS FURTHER ORDERED that this order is effective immediately.

EXHIBIT

1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL H. BRENT,

Plaintiff,

v.

WAYNE COUNTY DEPARTMENT OF HUMAN
SERVICES, et al.,

Case No. 11-10724

Honorable Julian Abele Cook, Jr.

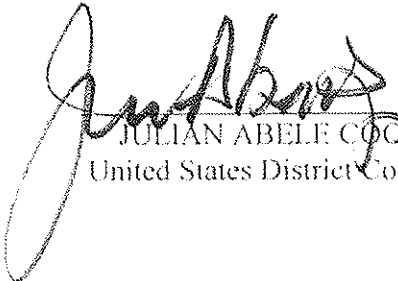
Defendants.

ORDER

Pursuant to the agreement made by counsel at the scheduling conference held today, July 11, 2013, this case will be stayed until the resolution of the appeal that is currently pending in the Sixth Circuit.

IT IS SO ORDERED.

Dated: JUL 23 2013
Detroit, Michigan


JULIAN ABELF COOK, JR.
United States District Court Judge

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: April 16, 2014

Mr. David J. Weaver
U.S. District Court
for the Eastern District of Michigan
231 W. Lafayette Boulevard
Fifth Floor Theodore Levin U.S. Courthouse
Detroit, MI 48226-0000

Re: Case No. 12-2669, *Nathaniel Brent v. Wayne County Department of*
Hum, et al
Originating Case No. : 2:11-cv-10724

Dear Clerk,

Enclosed is a copy of the mandate filed in this case.

Sincerely yours,

s/Robin Duncan
Case Manager
Direct Dial No. 513-564-7027

cc: Mr. Nathaniel Brent
Ms. Lisa M. Geminick

Enclosure

EXHIBIT

2

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No: 12-2669

Filed: April 16, 2014

NATHANIEL BRENT

Plaintiff - Appellee

v.

WAYNE COUNTY DEPARTMENT OF HUMAN SERVICES, et al.

Defendants

and

MIA WENK; SHEVONNE TRICE; HEATHER DECORMIER-MCFARLAND;
MONICIA SAMPSON; CHARLOTTE MCGEHEE; JOYCE LAMAR

Defendants - Appellants

MANDATE

Pursuant to the court's disposition that was filed 02/06/2014 the mandate for this case hereby
issues today.

COSTS: None